

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

SEYED SAEID ZAMANIEH SHAHRI,
Plaintiff,
v.
LOS RIOS COMMUNITY COLLEGE
DISTRICT,
Defendant.

No. 2:23-cv-1569-DJC-JDP (PS)

ORDER

This matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302. On May 20, 2025, the Magistrate Judge filed findings and recommendations herein which were served on the parties and which contained notice that any objections to the findings and recommendations were to be filed within fourteen days. Plaintiff filed objections on May 27, 2025, and they were considered by the undersigned.

The Court presumes that any findings of fact are correct. See *Orand v. United States*, 602 F.2d 207, 208 (9th Cir. 1979). The Magistrate Judge's conclusions of law are reviewed de novo. See *Robbins v. Carey*, 481 F.3d 1143, 1147 (9th Cir. 2007) ("[D]eterminations of law by the magistrate judge are reviewed de novo by both the district court and [the appellate] court . . ."). Having reviewed the file, the court finds

1 the findings and recommendations to be supported by the record and by the proper
2 analysis in large part. Having reviewed the file, the Court finds the findings and
3 recommendations to be supported by the record and by the proper analysis in large
4 part. However, while the precise phrasing of the relief in the First Amended
5 Complaint (ECF No. 42) at page 24 under the heading "6. Assurances and
6 Preventative Measures" is inartful, the substance of the requests under them could
7 theoretically form the basis of injunctive relief, and the Court will deny the motion to
8 strike as to those requests for relief.

9 Accordingly, IT IS HEREBY ORDERED that:

10 1. The proposed Findings and Recommendations filed May 20, 2025 (ECF No.
11 55) are adopted;

12 2. Defendant's motion to dismiss (ECF No. 44) is GRANTED in part as follows:

13 a. all claims other than the retaliation claim set forth in charge 555-2020-
14 01236 are DISMISSED without leave to amend as untimely; and

15 b. the motion is denied in all other respects.

16 3. Defendant's motion to strike (ECF No. 45) is GRANTED in part as follows:

17 a. The "addendum" portion of the amended complaint (ECF No. 42), is
18 stricken, as are the portions of the "statement of demands" that seek the termination
19 of other employees and enforcement of state court orders; and

20 b. The motion is denied in all other respects.

21 4. This matter is referred back to the assigned Magistrate Judge for all further
22 pretrial proceedings.

23
24 IT IS SO ORDERED.

25 Dated: June 24, 2025


Hon. Daniel J. Calabretta
UNITED STATES DISTRICT JUDGE